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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

29 UNITED STATES OF AMERICA,) No. CR 08-0083 PJH

30 v.)

31 GUILLERMO ALEJANDRO)
32 ZARAGOZA, et al;)

33 Defendants.)

34 UNITED STATES OF AMERICA,) No. CR 08-0143 PJH
35)
36 v.) [PROPOSED] ORDER EXCLUDING
37) TIME FROM SPEEDY TRIAL ACT
38) COMPUTATION

39 FRANCISCO MORA ALVAREZ,)

40 Defendant.)

41 The parties appeared before the Court on May 21, 2008 at 1:30 p.m for a status
42 conference. Defendant Guillermo Zaragoza appeared in custody with his attorney George

43 Speedy Trial Act Order

44 U.S. v. Guillermo Zaragoza, et. al (08-0083 PJH)

45 U.S. v. Francisco Mora Alvarez (08-0143 PJH)

1 Cotsirilos; defendant Manuel Corona appeared in custody with attorney Nina Wilder; defendant
2 Irma Corona appeared in custody with her attorney Garrick Lew; defendant Paul Kozina
3 appeared with his attorney Christy O'Connor; defendant David Quezada in custody appeared
4 with his attorney Steve Teich; defendant Angelica Rodriguez appeared in custody with her
5 attorney Seth Chazin; defendant Martel Valencia appeared in custody with attorney Steve Teich,
6 who appeared specially for attorney Robert Waggener; defendant Eduardo Zaragoza appeared in
7 custody with his attorney Claire Leary; defendant Martin Zaragoza appeared in custody with his
8 attorney Gail Shiffman; defendant Richard Parodi appeared in custody with attorney Doug
9 Rappaport; defendant Juan Zaragoza appeared with his attorney Roger Patton; and defendant
10 Lorenzo Carbajal appeared in custody with his attorney Ismail Ramsey. Defendant David Weld
11 was not present and his appearance was waived by his attorney Brian Berson; defendant Roberto
12 Ruiz remains at-large; and defendant Francisco Mora Alvarez, in the related case 08-0143 PJH,
13 appeared with his attorney Haywood Gilliam.

14 At the May 21, 2008 status conference, the parties requested a continuance until July 23,
15 2008 at 1:00 p.m. Discovery has been on-going since the commencement of this case.
16 Discovery has included, among other things, wiretap materials, including audio calls and line
17 sheets from the wire interceptions, surveillance videos and photographs, and search warrant
18 materials. Counsel for the defense stated that they need additional time to review the discovery.
19 The parties agreed in open Court, with their attorney's concurrence, that the case should be
20 declared factually complex. Accordingly, the parties agreed, that the entire period from May 21,
21 2008 through and including July 23, 2008 should be excluded from the otherwise applicable
22 Speedy Trial Act computation, because the factual complexity renders it unreasonable to expect
23 adequate and effective preparation for pretrial proceedings and for the trial within the otherwise
24 applicable time limits set forth in the Speedy Trial Act.

25 Based upon the above-described representations and the parties' agreement in open
26 Court, the Court FINDS THAT the ends of justice served by granting a continuance from the
27 inception of this case through and including July 23, 2008 outweigh the best interest of the public
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1 and the defendants in a speedy trial, and that the case is so factually complex, due to the number
2 of defendants and the nature of the prosecution, that it is unreasonable to expect effective and
3 adequate preparation for pretrial proceedings and for the trial within the otherwise applicable
4 time limits set forth in the Speedy Trial Act, within the meaning of 18 U.S.C. § 3161(h)(8)(A)
5 and (B)(ii) and (iv).

6 Accordingly, the Court ORDERS THAT:

7 1. This case is continued to July 23, 2008 at 1:00 p.m. for further status and for
8 possible setting of motions and trial dates.

9 2. The period from May 21, 2008 through and including July 23, 2008 is
10 excluded from the otherwise applicable Speedy Trial Act computation, pursuant to 18 U.S.C. §
11 3161(h)(8)(A) and (B)(ii) and (iv).

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14 Dated: May __, 2008

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HON. PHYLLIS J. HAMILTON
United States District Judge